

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER CytRx/012 <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/582124</div>
INTERNATIONAL APPLICATION NO. PCT/HU2004/000098	INTERNATIONAL FILING DATE 25 October 2004	PRIORITY DATE CLAIMED 30 October 2003
TITLE OF INVENTION USE OF A HYDROXIMIC ACID HALIDE DERIVATIVE IN THE TREATMENT OF NEURODEGENERATIVE DISEASES		
APPLICANT(S) FOR DO/EO/US Linda Greensmith et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 

Copy of International Search Report from PCT/HU2004/000098  
 PCT Notification of Recording of a Change (2 pages)  
 Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b) (2 pages)  
 Combined Declaration and Power of Attorney (unexecuted)  
 Return Receipt Postcard

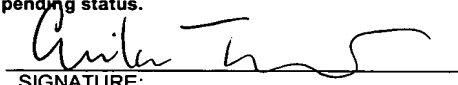
AP20 Rec'd PCT/PTO 07 JUN 2006

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U.S. APPLICATION NO. <b>10/582124</b> (Unknown, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/HU2004/000098</b>		ATTORNEY'S DOCKET NUMBER	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21.	<input checked="" type="checkbox"/> Basic national fee			\$ 300.00	
22.	<input checked="" type="checkbox"/> Examination fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....				\$ 100	
All other situations .....				\$ 200	
23.	<input checked="" type="checkbox"/> Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the inter national application to the USPTO as an International Searching Authority .....				\$ 100	
International Search Report prepared and provided to the Office .....				\$ 400	
All other situations .....				\$ 500	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 1,000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
17- 100	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	16 - 20 =		x	\$	
Independent claims	2 - 3 =		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				\$	360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,360.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$ 680.00	
<b>SUBTOTAL =</b>				<b>\$ 680.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$</b>	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$</b>	
				Amount to be refunded:	
				Amount to be charged:	\$680.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>06-1075</u> in the amount of \$ <u>680.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-1075</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
FISH & NEAVE IP GROUP			SIGNATURE: 		
ROPES & GRAY LLP			NAME: <u>Erika Takeuchi</u>		
1251 Avenue of the Americas			REGISTRATION NUMBER: <u>55,661</u>		
New York, NY 10020					
CUSTOMER NUMBER: 1423					

10/582124

AP20 Rec'd PCT/PTO 07 JUN 2006

Application No. (if known): Not Yet Assigned

Attorney Docket No.: CytRx/012

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 669630855 US in an envelope addressed to:

MS PCT  
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P.O. Box 1450  
Alexandria, VA 22313-1450

on June 7, 2006  
Date

  
\_\_\_\_\_  
Signature

Andrew Shiue

\_\_\_\_\_  
Typed or printed name of person signing Certificate

\_\_\_\_\_  
Registration Number, if applicable

212-596-9000  
Telephone Number

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Transmittal Letter to the United States Designated-Elected Office (2 pages) (in duplicate)  
(Total: 4 pages)  
Charge \$680.00 to deposit account 06-1075  
Second copy of published International Application with Cover Page (18 pages)  
Copy of International Search Report from PCT/HU2004/000098 (5 pages)  
Application Data Sheet (3 pages)  
PCT Notification of the Recording of a Change (2 pages)  
Petition for Revival of an International Application for Patent Designating the U.S.  
Abandoned Unintentionally Under 37 CFR 1.137(b) (2 pages)  
Charge \$750.00 to deposit account 06-1075  
Combined Declaration and Power of Attorney (unexecuted) (4 pages)  
This Certificate of Express Mail (1 page)  
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